



## Legislation Details (With Text)

**File #:** CPC ZC 18-00117    **Version:** 3    **Name:**

**Type:** Ordinance    **Status:** Mayor's Office

**File created:** 11/29/2018    **In control:** City Council

**On agenda:** 2/12/2019    **Final action:** 2/12/2019

**Title:** Ordinance No. 19-8 amending the zoning map of the City of Colorado Springs pertaining to 2.59 acres located at 2433 East Fountain Boulevard from PBC (Planned Business Center) to C-6/CR (General Business District with Conditions of Record).

(QUASI-JUDICIAL)

**Presenter:**  
Peter Wysocki, Director of Planning and Community Development  
Lonna Thelen, Principal Planner, Planning and Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Zoning Ord\_2433 E Fountain, 2. Exhibit A - legal description, 3. Exhibit B - zone change exhibit, 4. Vicinity Map #2, 5. Signed Ordinance 19-8

Date	Ver.	Action By	Action	Result
2/12/2019	2	City Council	finally passed	Pass
1/22/2019	2	City Council	approved on first reading	Pass
12/20/2018	1	Planning Commission		

Ordinance No. 19-8 amending the zoning map of the City of Colorado Springs pertaining to 2.59 acres located at 2433 East Fountain Boulevard from PBC (Planned Business Center) to C-6/CR (General Business District with Conditions of Record).

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**Summary:**

Applicant/Owner: Amerco Real Estate Company  
Consultant Representative: Amerco Real Estate Company  
Location: 2433 East Fountain Boulevard

This project includes concurrent applications for a zone change and accompanying concept plan illustrating land uses and general access points for the 2.59 acres located on Fountain Boulevard between South Circle Drive and Union Boulevard at 2433 East Fountain Boulevard. The proposal will

rezone 6.5 acres from PBC (Planned Business Center) to C-6/cr (General Business District with conditions of record).

**Previous Council Action:**

On January 22, 2019, City Council approved this ordinance on first reading on the Consent Calendar. The vote was 8:0:1 with Don Knight excused.

**Background:**

This application includes a zone change for a 2.59 acre parcel from PBC to C-6/cr. In addition, a concept plan is provided showing a conceptual layout for an automotive storage yard for recreational vehicles and auto storage and mini-warehouse buildings.

The zone change request is from PBC to C-6/cr. The condition of record would prohibit the following uses:

1. Rooming or boarding house
2. Crematory Services
3. Exterminating Services
4. Indoor kennels
5. Outdoor kennels
6. Animal shelters
7. Outdoor entertainment
8. Outdoor sports and recreation
9. Construction and/or contractor yards
10. Custom manufacturing
11. Light industrial
12. Industrial laundry services

The major use of this site is a covered recreational vehicle storage yard. The site also contains two buildings for mini-warehouses. Because the primary use is recreational vehicle storage, the use is considered automotive storage yard. This use is not allowed in the PBC zone district, therefore, the applicant has requested a C-6 zone district, but conditioned out the C-6 zoning to mirror the PBC zoning with the exception that automotive storage yard, auto repair garage and automotive sales are permitted uses and equipment rental and sales is a conditional use. This portion of Fountain Boulevard from Circle to Union has limited development. The uses proposed are quiet and clean uses and will not adversely affect the properties to the north of Fountain Boulevard.

The 2433 East Fountain Concept Plan illustrates the intended locations of the covered automotive storage structures for the recreational vehicles. There are also two mini-warehouse structures shown on the east and south side of the property. The structures are a maximum of 20 feet in height. The site is accessed via an access easement across 2605 East Fountain Boulevard that is east of this property. The property addressed as 2605 East Fountain Boulevard is currently under review for a mini-warehouse facility that will be developed by the same developer as 2433 East Fountain Boulevard. A 25-foot landscape setback is planned behind the detached sidewalk to provide a nicely landscaped streetscape for this site.

The attached City Planning Commission staff report summarizes the project details.

The project supports the City's Strategic plan of building community and collaborative relationships and provides a platform for the building of a new commercial area in a part of town that has been

vacant for many years. The envisioned future uses will provide commercial uses to neighboring residential homes and the project will support the future creation of employment opportunities.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At the Planning Commission meeting held on December 20, 2018, the zone change was approved 8-0 under the consent agenda.

**Stakeholder Process:**

The public notification process for the associated applications consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 223 property owners within 1000-feet of the project site. No public comment was received for this project. The site will be posted prior to Planning Commission public hearing and City Council.

The applications were sent to the standard internal and external agencies for review and comment. Any review comments received have been addressed. Review agencies for this project included Colorado Springs Utilities, City Traffic, City Engineering, City Fire Department and Police/E-911, as well as School District 2, Floodplain and Enumerations, and Colorado Department of Transportation. The airport overlay did not review this site due to the site being approximately one mile outside of the airport overlay boundary.

Please see the Planning Commission staff report for more details.

**Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

**Proposed Motion:**

CPC ZC 18-00079

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 2.59 acres located at 2433 East Fountain Boulevard from PBC (Planned Business Center) to C-6/CR (General Business District with Conditions of Record), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) with the following conditions of record:

The following uses are not permitted:

1. Rooming or boarding house
2. Crematory Services
3. Exterminating Services
4. Indoor kennels
5. Outdoor kennels
6. Animal shelters
7. Outdoor entertainment
8. Outdoor sports and recreation
9. Construction and/or contractor yards

10. Custom manufacturing
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